

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:18-cr-079-MOC**

UNITED STATES OF AMERICA,

vs.

RICHARD JOSEPH CHANDLER,

Defendant.

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ORDER

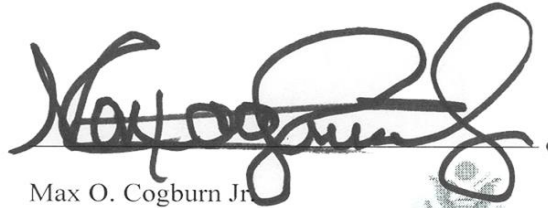
THIS MATTER comes before the Court on Defendant’s pro se “Motion for Compassionate Release/Reduction of Sentence.” (Doc. No. 50), and on the Government’s Motion to Dismiss, (Doc. No. 54).

Title 18, Section 3582(c)(1)(A)(i) authorizes criminal defendants to request compassionate release from imprisonment based on “extraordinary and compelling reasons.” But before doing so, they must at least ask the Bureau of Prisons to do so on their behalf and give the Bureau thirty days to respond. See United States v. Raia, No. 20-1033, 2020 WL 1647922, at *1 (3d Cir. Apr. 2, 2020). Here, as the Government asserts in its brief in opposition, Defendant did not exhaust his administrative remedies before filing the pending motion. Because Defendant has not exhausted available administrative remedies, the Court denies Defendant’s motion.

ORDER

IT IS, THEREFORE, ORDERED that Defendant’s pro se “Motion for Reconsideration,” (Doc. No. 50), is **DENIED**, without prejudice to Defendant to refile the motion after he has exhausted his remedies with the BOP. To this extent, the Government’s Motion to Dismiss, (Doc. No. 54), is **GRANTED**.

Signed: March 12, 2021

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.
United States District Judge